

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	
)	
MARKUS JON ABEBE and)	
DEVONNE MARIE ABEBE,)	
)	CASE NO. BK13-40827-TLS
Debtor(s).)	
UNITED STATES OF AMERICA,)	A13-4022-TLS
)	
Plaintiff(s),)	4:12CV3165
)	
vs.)	CHAPTER 7
)	
MARKUS J. ABEBE, et al.,)	
)	
Defendant(s).)	

REPORT and RECOMMENDATION

This matter is before the court on its own motion.

The United States filed this lawsuit in federal district court in August 2012 to foreclose on a mortgage and security interest securing a loan made by the Farmers Home Administration. Default judgment and a decree of foreclosure were entered against the individual defendants on January 8, 2013, for a debt of \$36,591.45 plus interest. An order to sell the property was issued to the United States Marshal on February 4, 2013. The debtors then filed their Chapter 7 bankruptcy petition on April 29, 2013, before any sale was finalized. Because the automatic stay prohibited any collection activity, the civil case was subsequently referred to this court for further proceedings.

The United States has now obtained relief from the automatic stay in the bankruptcy case to move forward with the sale and collection efforts. Accordingly, I respectfully recommend to the United States District Court for the District of Nebraska that it withdraw the reference of this adversary proceeding.

The Clerk of the Bankruptcy Court shall process this recommendation pursuant to the local court rules.

DATED: May 16, 2013

RESPECTFULLY SUBMITTED,

/s/ Thomas L. Saladino
Chief Judge

Notice given by the Court to:
Paul D. Boeshart Paul Rea
U.S. Trustee